

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRANDON RAY REECE,
VITINA NICOLE JARVIS, and
COURTNEY LEIGH REECE,

Defendants.

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or recommendation as appropriate. This case is before the Court on Defendant Brandon Reece's Unopposed Motion to Continue Trial and Corresponding Deadlines [Doc. 55], filed on September 3, 2024, as well as the Motion of Defendant Vitina Nicole Jarvis to Adopt Motion of Co-Defendant Brandon Reece to Continue Motion Deadline [Doc. 56], filed on September 13, 2024.

Defendant Brandon Reece asks the Court to continue the trial date [Doc. 55]. In support of his motion, he states that he was indicted on December 6, 2023, with one count of possession of a firearm by convicted felon [*Id.* ¶ 1]. On March 26, 2024, a superseding indictment charged him with two counts of possession of a firearm by a convicted felon; two counts of conspiracy to purchase a firearm for a felon; and two counts of conspiracy to transport or dispose of a firearm to a felon [*Id.* ¶ 3]. Extensive discovery was provided, including thousands of telephone calls, firearms trace records, bodycam footage, and other documents [*Id.* ¶¶ 4, 9]. A second superseding

indictment was returned, adding Armed Career Criminal Act enhancement allegations against Defendant Brandon Reece [*Id.* ¶ 6]. He has not yet had an initial appearance on the second superseding indictment [*Id.* ¶ 7]. His counsel has been working to resolve the matter with the Government but asserts that the dynamic has shifted since the second superseding indictment [*Id.* ¶ 11]. Additionally, he states that reviewing discovery has been a lengthy process because Defendant Brandon Reece is detained in Knox County Jail [*Id.* ¶ 10]. He contends that he needs additional time to continue reviewing discovery and determine whether the parties may resolve the case without a trial [*Id.* ¶ 11]. He understands the right to a speedy trial [*Id.* ¶ 13]. He represents that neither Defendant Jarvis nor Defendant Courtney Reece nor the Government object to a continuance. [*Id.* ¶¶ 14–15].

Defendant Jarvis filed a motion to adopt Defendant Brandon Reece’s motion to continue [Doc. 56]. She contends that her counsel requires additional time to review discovery and evaluate whether any pretrial motions are necessary [*Id.*]. Defense counsel confirmed with Chambers via email that Defendants Jarvis and Courtney Reece understand their rights to a speedy trial.

Based on the parties’ positions and because the Government does not oppose the continuance, the Court finds the ends of justice served by granting a continuance outweigh the interests of Defendants and the public in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). In so determining, the Court considered the factors set forth in 18 U.S.C. § 3161(h)(7)(B). Specifically, the Court concludes that not granting a continuance would both result in a miscarriage of justice and deny counsel for Defendant the reasonable time needed to effectively prepare, accounting for the exercise of due diligence. *See id.* § 3161(h)(7)(B)(i)–(iv). Counsel for Defendants Brandon Reece, Vitina Jarvis, and Courtney Reece need further time to review discovery, evaluate the need

for pretrial motions, and otherwise prepare for trial. The Court finds that this cannot all occur before the October 29, 2024 trial date.

The Court therefore **GRANTS** Defendant Brandon Reece's Unopposed Motion to Continue Trial and Corresponding Deadlines [**Doc. 55**] and the Motion of Defendant Vitina Nicole Jarvis to Adopt Motion of Co-Defendant Brandon Reece to Continue Motion Deadline [**Doc. 56**]. The trial of this case is reset to **February 18, 2025**. A new, comprehensive, trial schedule is included below. Because the Court has found that the ends of justice served by granting a continuance outweigh the interests of Defendants and the public in a speedy trial, all the time between the filing of the initial motion on September 3, 2024, and the new trial date is fully excludable time under the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(1)(D), (h)(7)(A)–(B).

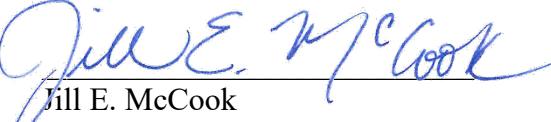
Accordingly, it is **ORDERED** as follows:

- (1) Defendant Brandon Reece's Unopposed Motion to Continue Trial and Corresponding Deadlines [**Doc. 55**] and the Motion of Defendant Vitina Nicole Jarvis to Adopt Motion of Co-Defendant Brandon Reece to Continue Motion Deadline [**Doc. 56**] are **GRANTED**;
- (2) the trial of this matter is reset to commence on **February 18, 2025, at 9:00 a.m.**, before the Honorable Katherine A. Crytzer, United States District Judge;
- (3) all time between the filing of the motion on **September 3, 2024**, and the new trial date of **February 18, 2025**, is fully excludable time under the Speedy Trial Act for the reasons set forth herein;
- (4) the deadline for filing pretrial motions is extended to **October 14, 2024**, and responses to motions are due on or before **October 28, 2024**;
- (5) the deadline for filing a plea agreement in the record and providing reciprocal discovery is **January 21, 2025**;
- (6) the deadline for filing motions *in limine* is **February 3, 2025**;
- (7) the parties are to appear before the undersigned for a final pretrial conference on **February 4, 2025, at 1:30 p.m.**; and

- (8) requests for special jury instructions with appropriate citations to authority pursuant to Local Rule 7.4 shall be filed on or before **February 7, 2025**.

IT IS SO ORDERED.

ENTER:


Jill E. McCook
United States Magistrate Judge